
**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

DARNIAL CRAIG,

Plaintiff,

v.

TREVOR KLEMMER and DANIEL
CUSHING,

Defendants.

Case No. 17-CV-288-JPS

JUDGMENT

Jury Verdict. This action came before the Court, presided over by the Honorable J.P. Stadtmueller, for a trial by jury. The issues having been tried and the jury having rendered a Special Verdict (Docket #58) on May 7, 2018; and the Court having previously considered the Plaintiff's motion for summary judgment (Docket #16) and the Defendants' motion for summary judgment (Docket #21):

IT IS ORDERED AND ADJUDGED that the Plaintiff's motion for summary judgment (Docket #16) be and the same is hereby **DENIED** (Docket #40);

IT IS FURTHER ORDERED AND ADJUDGED that the Defendants' motion for summary judgment (Docket #21) be and the same is hereby **GRANTED in part** as to the Plaintiff's state law claims of battery and negligence against Defendant Trevor Klemmer, the Plaintiff's state law claim of negligence against Defendant Daniel Cushing, and the Plaintiff's claim of failure to intervene in violation of the Eighth Amendment against Defendant Daniel Cushing (Docket #40);

IT IS FURTHER ORDERED AND ADJUDGED that the Plaintiff's state law claims of battery and negligence against Defendant Trevor Klemmer, the Plaintiff's state law claim of negligence against Defendant Daniel Cushing, and the Plaintiff's claim of failure to intervene in

violation of the Eighth Amendment against Defendant Daniel Cushing (Docket #1) be and the same are hereby **DISMISSED** (Docket #40);

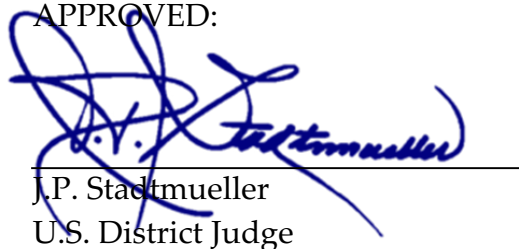
IT IS FURTHER ORDERED AND ADJUDGED that Defendant Daniel Cushing be and the same is hereby **DISMISSED** from this action (Docket #40);

IT IS FURTHER ORDERED AND ADJUDGED that Defendant Trevor Klemmer did not use excessive force against Plaintiff Darnial Craig on September 24, 2016 (Docket #58);

IT IS FURTHER ORDERED AND ADJUDGED that Plaintiff Darnial Craig shall have and recover nothing from Defendant Trevor Klemmer on the Plaintiff's claim that Defendant Trevor Klemmer used excessive force against him in violation of the Eighth Amendment (Docket #58); and

IT IS FURTHER ORDERED AND ADJUDGED that this action be and the same is hereby **DISMISSED** on the merits, together with the Defendants' costs as may be taxed by the Clerk of the Court.

APPROVED:



J.P. Stadtmueller
U.S. District Judge

STEPHEN C. DRIES

Clerk of Court

s/ Jodi L. Malek

By: Deputy Clerk

May 8, 2018

Date